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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,197	12/03/2003	R. Bharat Rao	2002P19745US01	4681

7590 12/02/2008
Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

FRENEL, VANEL

ART UNIT	PAPER NUMBER
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3687

MAIL DATE	DELIVERY MODE
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12/02/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte R. BHARAT RAO,
RADU STEFAN NICULESCU
and SATHYAKAMA SANILYA

Application 10/727,197
Technology Center 3600

Mailed: December 2, 2008

Before KRISTA ZELE, *Deputy Chief Appeals Administrator.*
ZELE, *Deputy Chief Appeals Administrator.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on May 20, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal.

Accordingly, the application is herewith being electronically returned to the Examiner. The matter requiring attention prior to docketing is identified below.

INFORMATION DISCLOSURE STATEMENT

An Information Disclosure Statement (IDS) was filed on February 28, 2008 and August 29, 2008. It is not apparent from the record whether the Examiner considered the statements submitted or notified Appellants regarding why their submissions did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying Appellants of the Primary Examiner's decision is required.

CONCLUSION

Accordingly, it is ORDERED that the application is returned to the Examiner to:

- 1) consider the IDS's filed February 28, 2008 and August 29, 2008, with appropriate notification to Appellants regarding the Primary Examiner's decision; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KZ/ kis

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